

VZCZCXRO6018
RR RUEHFL RUEHKW RUEHLA RUEHROV RUEHSR
DE RUEHVJ #1599/01 2890912
ZNY CCCCC ZZH
R 150912Z OCT 08
FM AMEMBASSY SARAJEVO
TO RUEHC/SECSTATE WASHDC 9094
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RHEFDIA/DIA WASHINGTON DC
RHEHNSC/NSC WASHDC
RUFOAOA/USNIC SARAJEVO BK
RUEAIIA/CIA WASHINGTON DC

C O N F I D E N T I A L SECTION 01 OF 02 SARAJEVO 001599

SIPDIS

EUR (JONES), EUR/SCE (FOOKS, STINCHCOMB), EUR/PPD,
EUR/PPD-PA, INR/R/MR; NSC FOR BRAUN

E.O. 12958: DECL: 10/15/2018
TAGS: [PREL](#) [PGOV](#) [PINR](#) [PHUM](#) [KDEM](#) [KPAO](#) [BK](#)
SUBJECT: BOSNIA - PUBLIC BROADCAST REFORM: BAD NEWS
AND...MORE BAD NEWS

REF: A. SARAJEVO 1068
[1](#)B. SARAJEVO 1193

Classified By: MICHAEL J. MURPHY FOR REASONS 1.4 (B) AND (D)

[1](#)1. (C) Summary: Public Broadcast Reform, though a prerequisite for the signing of the Stabilization and Association Agreement (SAA), remains incomplete, and recently suffered two notable setbacks. On September 17, Croat and Serb parliamentarians joined forces and passed over the objections of Bosniaks an initiative directing the Council of Ministers (CoM) to draft legislation creating a new Croat-language public broadcast channel, boosting, at least temporarily, longstanding Croat hopes for such a channel. Separately, the Board of Governors of the state-level public broadcaster BHRT dismissed the reform-oriented Director General Mehmed Agovic, blaming him for BHRT's financial woes. Agovic has publicly linked his dismissal to ongoing efforts by Republika Srpska (RS) politicians to undermine BHRT and then use its problems as a justification for its elimination. End Summary.

Croats Score a Psychological Victory

[1](#)2. (U) Though a requirement for the signing of an SAA, public broadcast reform remains incomplete, and Serb and Croat politicians continue to undermine it. On September 17, Croat and Serb members of the BiH House of Peoples joined forces and voted in favor of an initiative by (Croat) House Speaker Ilija Filipovic (HDZ BiH) directing the CoM to create a Croat language channel despite strong Bosniak opposition. OHR contacts characterized the Filipovic initiative as misguided, noting that in calling for an exclusive Croat language channel, the Croats (and their Serb allies) are contravening existing legislation, which foresees the creation of new channels but requires that these channels carry programs that are in roughly equal proportions in Bosnia's three official languages. The move, coming just ahead of the October 5 municipal elections, was a boost to longstanding Croat efforts to obtain their own channel. Bozo Ljubic, the Minister of Transport and Communication and President of the Croat political party HDZ BiH 1990, has promised to prepare the proposed legislation, while Bosniak parties have vowed to block the legislation in the House of Representatives if the CoM sends it to Parliament.

[1](#)3. (C) OHR contacts have expressed concern that the joint call by Serbs and Croats for a Croat language channel is a diversion from the real issue at hand: the need to implement public broadcast legislation, particularly at the state-level. The state-level public broadcast legislation, though passed by Parliament in 2005, has been blocked by a

Croat VNI veto which must still be ruled on by the BiH Constitutional Court. They noted that the Federation's public broadcast law must also still be implemented. It had been blocked by separate Bosniak and Croat "Vital National Interest" (VNI) vetoes, but finally became law in July after the Federation's Constitutional Court ruled that the VNI provision did not apply to the law. OHR contacts also expressed concern that the CoM may not take seriously the requirement that they conduct an "independent, transparent, and comprehensive analysis" to justify a new channel, and may approve the creation of a Croat channel that is not financially viable.

BHRT Director Gets Axed

¶4. (U) The push for a Croat channel followed closely the mid September dismissal of BHRT Director General Mehmed Agovic by the BHRT's Board of Governors. Nikola Deretic, the Board's chair and a close ally of RS PM Dodik, and two other board members blamed Agovic for financial losses amounting to 25 million KM (approximately 17.46 million USD) in 2006, which were detailed in a State Auditor's Report (Ref A). In a lengthy September 18 interview in the weekly magazine Dani and in a separate exchange with us, Agovic portrayed himself as the scapegoat in a plan by Deretic and his cohorts to advance PM Dodik's ongoing campaign to destroy BHRT and to scuttle public broadcast legislation (Refs A and B). Agovic acknowledged BHRT's financial losses but maintained that he had inherited them and that they were structural in nature, and that he had managed to significantly reduce BHRT's long-term liabilities and cut costs. His commitment to

SARAJEVO 00001599 002 OF 002

reforming BHRT and to improving its performance and his support for public broadcast legislation, he said, are the real reasons behind his dismissal. Finally, Agovic catalogued the Board's alleged efforts to obstruct BHRT's operations, including: interfering with editorial policy and hiring practices; failing to assist efforts in parliament to reform BHRT; and, insisting that BHRT's by-laws be re-written from scratch. (Note: Most observers agree with Agovic's claims about his effectiveness as a manager, saying that, while Agovic could have done more for BHRT as Director General, the Board of Directors is actively obstructing BHRT's operations. End Note.)

BHRT Director Says His Ouster Illegal

¶5. (U) Agovic has charged that his dismissal is illegal because the mandate of a board member who had voted against him had expired. The allegation prompted a BiH House of Representatives committee reviewing the matter on September 23 to recommend placing a moratorium on the hiring of a new Director-General. OHR lawyers maintain, however, that this issue is a moot point -- the board member in question has a technical mandate until her successor is appointed. The BiH Ombudsman Office also issued a statement declaring Agovic's removal to be contrary to local and international legislation on the grounds that he did not have an opportunity to defend himself. Despite these criticisms, the Board of Governors is staying the course and has rejected Parliament's recommendation to refrain from looking for a successor for Agovic.

BHRT's Board of Governors Gets its Way

¶6. (C) Croat politicians continued support for a third channel makes clear that they are prepared to place narrow ethnic interests above their professed commitment to fulfilling the obligations associated with EU accession, in this case to complete a reform that remains part of the EU Partnership Agreement with Bosnia. Serb support for the Croat position is a politically transparent attempt to split

the Croats from the Bosniaks and at the same time undermine a state-level institution and a reform with which they are unhappy. Agovic's dismissal and the ensuing public spat over BHRT's management problem will likely play into Dodik's hands as well. Dodik has made BHRT's management problems central to his broader effort to discredit the broadcaster and to justify his calls for its disbandment. The Europeans' tepid response to these negative events underscored once more the need for them to have a more hands on approach in Bosnia particularly in areas they deem a priority.

ENGLISH